

1 Your Name: Kevin Jerome Harris Jr.  
 2 Address: 45503 misty bluff Dr., Charlotte, NC, 28278  
 3 Phone Number: 908-800-4105  
 4 Fax Number: \_\_\_\_\_  
 5 E-mail Address: kharris1994@gmail.com  
 6 Pro Se Plaintiff

**FILED**

DEC 07 2021

CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**JSC****CV 21 9445**Kevin Jerome Harris Jr.Case Number [leave blank]

Plaintiff,

**COMPLAINT**

vs.

Door Dash

DEMAND FOR JURY TRIAL

Yes ☐ No ☐

Defendant.

**PARTIES**

1. Plaintiff. [Write your name, address, and phone number. Add a page for additional plaintiffs.]

23 Name: Kevin Jerome Harris Jr.  
 24 Address: 45503 Misty Bluff dr, Charlotte, North Carolina, 28278  
 25 Telephone: (908-800-4105)

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2. Defendants. [Write each defendant's full name, address, and phone number.]

Defendant 1:

Name:

Door Dash

Address:

901 Market St, San Francisco, CA 94103

Telephone:

(650-681-9470)

Defendant 2:

Name:

Address:

Telephone:

Defendant 3:

Name:

Address:

Telephone:

### JURISDICTION

[Usually only two types of cases can be filed in federal court, cases involving "federal questions" and cases involving "diversity of citizenship." Check at least one box.]

3. My case belongs in federal court

☐

under federal question jurisdiction because it involves a federal law or right.

[Which federal law or right is involved?] \_\_\_\_\_

☒

under diversity jurisdiction because none of the plaintiffs live in the same state as any of the defendants and the amount of damages is more than \$75,000.

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## VENUE

[The counties in this District are: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo, or Sonoma. If one of the venue options below applies to your case, this District Court is the correct place to file your lawsuit. Check the box for each venue option that applies.]

4. Venue is appropriate in this Court because:

- ☐ a substantial part of the events I am suing about happened in this district.
- ☐ a substantial part of the property I am suing about is located in this district.
- ☐ I am suing the U.S. government, federal agency, or federal official in his or her official capacity and I live in this district.
- ☒ at least one defendant is located in this District and any other defendants are located in California.

## INTRADISTRICT ASSIGNMENT

[This District has three divisions: (1) San Francisco/Oakland (2) San Jose; and (3) Eureka. First write in the county in which the events you are suing about happened, and then match it to the correct division. The San Francisco/Oakland division covers Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Sonoma counties. The San Jose division covers Monterey, San Benito, Santa Clara, Santa Cruz counties. The Eureka division covers Del Norte, Humboldt, Lake, Mendocino counties, only if all parties consent to a magistrate judge.]

5. Because this lawsuit arose in Chittenden County, it should be assigned to the San Francisco/Oakland Division of this Court.

## STATEMENT OF FACTS

[Write a short and simple description of the facts of your case. Include basic details such as where the events happened, when things happened and who was involved. Put each fact into a separate, numbered paragraph, starting with paragraph number 6. Use more pages as needed.]

6. I am owed workers compensation, denied the minimum earning requirement of minimum wage. As refused to honor the expense of mileage, vehicle entropy and the ever growing price of gasoline. Rigging earnings in certain states, choosing to pay specifically "lower wages" to "lower income areas". Refusing to

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1       . "pay" hazard pay" for Driving and lifting over  
2 "45 pounds. Forcing the driver/dasher to pay taxes without  
3 honoring the Fair Labor Standards Act of 1938 29 U.S.C. § 203  
4 Performed over "1500" deliveries owed an exponentially  
5 cumulative amount of lost time and wages that resulted  
6       . in the loss of my home, two vehicles and  
7 could not attend my grandfather's funeral, and unable  
8 to recover from my uncle's death, both past away this  
9 year in 2021.

10       Sometimes paid as little as \$2.50/hr without  
11       . counting mileage, physical labor, hazard pay, and the  
12 price of Gasoline, a slippery slope in a pattern in which  
13 is hemorrhaging natural resources as well as the hemorrhaging  
14 of my life and liberty.

15       Theft of wages (wage theft), refusing to accept  
16       . existential evidence when escalating to managerial/  
17 supervisory members of the company and using glitches in their  
18 system to justify human error.

19       States worked and gained testimony from: Vermont,  
20 Maine, New Jersey, Connecticut, Iowa, Nebraska, North Carolina, South  
21       . Carolina, Washington-State, Oregon, California, Georgia,  
22 Massachusetts.

23       Proposition 22 passed in November of 2020  
24 regulations have proved that there is a labor  
25 disparity in California for gig workers in other states

26 //

27 //

## CLAIMS

## First Claim

(Name the law or right violated: The Fair Labor Act of 1938 29 U.S.C. § 203)

(Name the defendants who violated it: Door Dash Inc.)

[Explain briefly here what the law is, what each defendant did to violate it, and how you were harmed. You do not need to make legal arguments. You can refer back to your statement of facts.]

Refused the right to earning atleast the minimum wage when working that must be paid, and mandates when overtime must be paid, in a multitude of states. This all occurred from "November 2020 - November 2021". Denied the right to Fair Labor in Vermont, Maine, New Jersey, Connecticut, Iowa, Nebraska, North Carolina, South Carolina, Washington State, Oregon, California, Georgia and Massachusetts,

My vehicle a 2015 Hyundai Genesis coupe blew a gasket and I was never able to recover the price of repairs. This was following my Uncle's funeral, I and my family were severely

affected by not receiving what was owed. From there I continued to have to borrow, Lost my Home and was forced to sleep in my vehicle for 4 months. I bought/purchased a newer more fuel efficient vehicle a Toyota Prius and after a multitude of deliveries this vehicle broke down as well and Even though It was well

Maintained, without my earnings that I am rightfully owed I was never able to recover. My Grandfather, an army Veteran past away as well this year, He was murdered and my family has been very shaken up. I was never able to afford any therapy/therapeutical medicine and I have been running a constant cycle of suffering from work induced poverty to the point where I could not make it to my grandfather's funeral

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Second Claim

(Name the law or right violated: The False Claims Act FCA 31 USC 3729  
3733)

(Name the defendants who violated it: DoorDash Inc.)

On top of everything suffered in the first claim one week after receiving this civil cover sheet DoorDash claimed that were falsely marked as complete. This is also in spite of a 4.82 out of 5 customer service rating with over 1500 deliveries. Every order that could not be completed was "contacted by a dasher support member" who I notified through phone service or dasher text support, which is "DoorDash Inc."s way that they coach and instruct their employees to deal with things like technical errors with the application, addresses that are incorrect both store and customer addresses, undeliverable orders, payment issues etc. I spoke to a representative on why the account was deactivated with a 4.82 rating and 1500 satisfactory deliveries they could not confirm the accuracy their claim and advised me to just be inconvenienced even more and wait for the result of a reactivation request. Claimed I worked only 9 hours in a two month period with over 100 hours or more worked.

**DEMAND FOR RELIEF**

[State what you want the Court to do. Depending on your claims, you may ask the Court to award you money or order the defendant to do something or stop doing something. If you are asking for money, you can say how much you are asking for and why you should get that amount, or describe the different kinds of harm caused by the defendant.]

I, Kevin Jerome Harris Jr. am pleading to the court to hold this business accountable and award myself, the Plaintiff two hundred and eighty thousand for losses and damages that resulted in loss of Home, two vehicles valued at over ten thousand, mental damages, psychological abuse, emotional distress, post traumatic stress, the cost of missing a loved ones funeral. Denial of right to fair labor, Denied rights to fair practice.

**DEMAND FOR JURY TRIAL**

[Check this box if you want your case to be decided by a jury, instead of a judge, if allowed.]

☒ Plaintiff demands a jury trial on all issues.

Respectfully submitted,

Date: 12/06/2021

Sign Name:

Print Name:



Kevin Jerome Harris Jr.